

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MELISSA Y. HAYDEN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:17-CV-2618-SPM
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of Social Security)	
)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the Court on Acting Commissioner Nancy A. Berryhill's ("the Commissioner's") Motion to Reverse and Remand the case to the Commissioner for further administrative action pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). (Doc. 12). Plaintiff has filed a response stating that she has no objection to the motion. (Doc. 13). The parties have consented to the jurisdiction of the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c)(1). (Doc. 8).

On October 24, 2017, Plaintiff filed a Complaint seeking review of the Commissioner's decision that Plaintiff was not under a disability within the meaning of the Social Security Act. (Doc. 1). The Commissioner filed her answer and the transcript of the administrative proceedings on January 2, 2018. (Docs. 10 & 11).

On January 16, 2018, the Commissioner filed the instant motion to reverse and remand the case to the Commissioner for further action under sentence four of section 205(g) of the Social Security Act, which permits the Court "to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). The Commissioner represents in her

motion that upon review of the record, the Commissioner determined that remand was needed to provide the ALJ an opportunity to reassess Plaintiff's mental functioning, reevaluate her residual functional capacity (RFC), and obtain vocational expert testimony. Plaintiff has no objection to the Commissioner's motion.

Upon review of the ALJ's decision and the Commissioner's motion, the Court agrees with the parties that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).

Accordingly,

IT IS HEREBY ORDERED that the Commissioner's Motion to Reverse and Remand (Doc. 12) is **GRANTED**. The Court will enter a separate judgment consistent with this Memorandum and Order.

A handwritten signature in black ink, appearing to read "Shirley Padmore", written over a horizontal line.

SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

Dated this 17th day of January, 2018.